

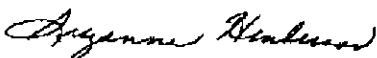
**Electronically Recorded**

Official Public Records

Tarrant County Texas

2009 Sep 17 10:11 AM

Fee: \$ 28.00

**D209248643**

Dallas, Texas  
2747 Fort Worth Avenue  
L/C: 042-2771  
File # 44018

Suzanne Henderson

Submitter: ACS INC

4 Pages  
Prepared by Timothy Slattery

After recording return to: Jill Kozeluh  
McDonald's USA, LLC  
One McDonald's Plaza  
Oak Brook, Illinois 60523

**SUPPLEMENT TO LEASE**

This agreement is dated August 12, 2009 ("Agreement") and supplements the Ground Lease dated February 14, 2008 as amended by First Amendment to Lease dated September 22, 2008, Agreement Amending Lease dated October 24, 2008, Third Amendment to Lease dated January 15, 2009, Fourth Agreement Amending Lease dated March 26, 2009 (collectively, the "Lease") between **THE ROBERT AND JOAN ROTHENBERG FAMILY TRUST DATED 1-1-1993**, successor in interest to Q Fort Worth Ave II, L.P., ("Landlord"), whose address is P.O. Box 453, Summerland, California 93067, and **McDONALD'S USA, LLC**, a Delaware limited liability company ("Tenant") whose address is One McDonald's Plaza, Oak Brook, Illinois 60523, for the premises described on Exhibit A.

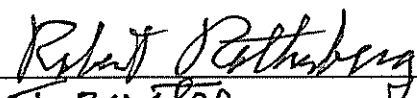
Pursuant to the terms and conditions contained in the Lease, this Agreement is executed to affirm the following facts:

1. The commencement date of the term of the Lease is February 15, 2008.
2. The commencement date of the rent is July 17, 2009.
3. The commencement date of Tenant's obligation to pay real estate taxes is July 17, 2009.
4. The date upon which the original term of the Lease will expire is July 16, 2029.

The Lease, as supplemented by this Agreement, is ratified and confirmed by Landlord and Tenant.

LANDLORD:  
**THE ROBERT AND JOAN ROTHENBERG  
FAMILY TRUST DATED 1-1-1993**

By:  
Its:

  
Trustee

By:  
Its:

  
Trustee

TENANT:  
**McDONALD'S USA, LLC,**

a Delaware limited liability company

By:

Name: Catherine A. Griffin

Its: Vice-President




(Attach all Acknowledgment Certificates and Exhibit A)

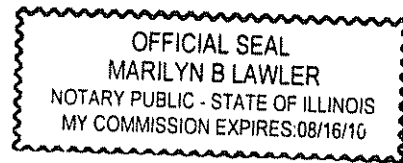
## ACKNOWLEDGMENT McDonald's

STATE OF ILLINOIS     )  
                                  ) SS:  
COUNTY OF DuPAGE    )

I, **Marilyn B. Lawler**, a **Notary Public** in and for the county and state aforesaid, DO HEREBY CERTIFY that **Catherine A. Griffin, Vice-President**, of **McDonald's Corporation, a Delaware corporation**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such **Catherine A. Griffin**, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act as **Vice-President** and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 21<sup>st</sup> day of August 2009.

  
Marilyn B. Lawler, Notary Public



My commission expires: August 16, 2010

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

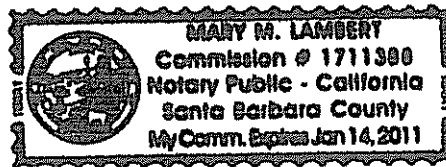
STATE OF CALIFORNIA )  
COUNTY OF Santa Barbara ) ss

On August 30, 2009 before me, Mary M. Lambert,  
personally appeared Robert Rothenberg,  
~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the  
person (s) whose name(s) is/~~are~~ subscribed the within instrument and acknowledged to me  
that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by  
his/~~her/their~~ signatures (s) on the instrument the person(s) or the entity upon behalf of which  
the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California  
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Mary M. Lambert  
SIGNATURE OF NOTARY PUBLIC



My commission expires on 1-14-11

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

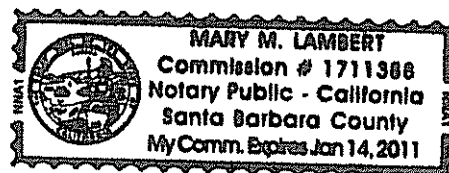
STATE OF CALIFORNIA )  
COUNTY OF Santa Barbara ) ss

On August 30, 2009 before me, Mary M. Lambert,  
personally appeared Jean Rothenberg,  
~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the  
person (s) whose name(s) is/~~are~~ subscribed the within instrument and acknowledged to me  
that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by  
his/~~her/their~~ signatures (s) on the instrument the person(s) or the entity upon behalf of which  
the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California  
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Mary M. Lambert  
SIGNATURE OF NOTARY PUBLIC



My commission expires on 1-14-11

BEING a 1.044 acre tract of land situated in the Anson McCrackan Survey, Abstract No. 868, Dallas County, Texas, and being Lot 1C, Block A/6168 of Q Fort Worth Ave Addition, an addition to the City of Dallas, according to the plat thereof recorded under cc# 200900057466, Real Property Records, Dallas County, Texas, and being more particular described as follows:

BEGINNING at a 3/8 inch iron rod found in the northwesterly right-of-way line of Fort Worth Avenue (120' right-of-way) at the southwesterly corner of said Lot 1C and being the southeasterly corner of a tract of land conveyed to Texas Hotel and Hospital Supply, Inc. (THHS) recorded in Volume 81057, Page 1763 (DRDCT);

THENCE along the westerly line of said Lot 1C as follows:

NORTH 00 degrees 38 minutes 38 seconds EAST, along the easterly line of said (THHS) tract, a distance of 282.40 feet to a 3/8 inch iron rod found for the northeasterly corner of said (THHS) tract and being an interior "L" corner of said Lot 1C;

NORTH 89 degrees 52 minutes 08 seconds WEST, along the northerly line of said (THHS) tract, a distance of 20.65 feet to a "capped" iron rod found for an exterior "L" corner of said Lot 1C and being the southeasterly corner of a tract of land conveyed to Francisco J. Cantu recorded in Volume 99193, Page 1976 (DRDCT);

NORTH 01 degree 34 minutes 02 seconds EAST, along the easterly line of said Cantu tract, a distance of 57.94 feet to a 1/2 inch iron rod found for the most northerly Northwest corner of said Lot 1C and being the northeasterly corner of said Cantu tract and being located in the southerly line of a tract of land conveyed to Bridan Partners, LLC, recorded in Instrument No. 20080142357 (DRDCT);

THENCE along the southerly line of said Bridan Partners, LLC tract SOUTH 89 degrees 38 minutes 35 seconds EAST, a distance of 169.32 feet to a 5/8 inch iron rod set at the common north corner of said Lot 1C and Lot 1B of said Block A/6168, Q Fort Worth Avenue Addition;

THENCE departing the southerly line of said Bridan Partners, LLC tract SOUTH 00 degrees 31 minutes 12 seconds WEST, a distance of 251.10 feet to a 5/8 inch ironrod set at the common south corner of said Lots 1C and 1B, and being located in the northwesterly right-of-way line of said Fort Worth Avenue;

THENCE along the northwesterly right-of-way line of said Fort Worth Avenue SOUTH 59 degrees 44 minutes 01 second WEST, a distance of 175.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 1.044 acres or 45,494 square feet of land, more or less.